

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)
45545

Morton & Craig LLC
William E. Craig, Esquire
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Suite 301
Moorestown, NJ 08057
Attorney for AmeriCredit Financial Services, Inc.
dba GM Financial

In Re:

PAUL S. BARY



Order Filed on April 2, 2018
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No. 17-28523

Adv. No.


Hearing Date: 1-23-18

Judge: (ABA)

ORDER RESOLVING MOTION FOR RELIEF FROM AUTOMATIC STAY

The relief set forth on the following pages, numbered two (2) through three (3) is hereby **ORDERED**.

DATED: April 2, 2018


Honorable Andrew B. Altenburg, Jr.
United States Bankruptcy Court

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Debtor: Paul S. Bary

Case No: 17-28523

Caption of Order: Order Resolving Motion For Relief From Automatic Stay

This matter having brought before this Court on a Motion For Stay Relief filed by John R. Morton, Jr., Esq., attorney for AmeriCredit Financial Services, Inc. dba GM Financial (“GM Financial”), with the appearance of Seymour Wasserstrum, Esq. on behalf of the Debtor, and this Order having been filed with the Court and served upon the Debtor and his attorney under the seven day rule with no objections having been received as to the form or entry of the Order and for good cause shown, it is hereby

ORDERED:

- 1. That GM Financial the holder of a first purchase money security interest encumbering a 2016 Chevrolet Colorado bearing vehicle identification number 1GCGTBE37G1375943.**
- 2. That the Debtor is to pay GM Financial’s claim for the vehicle through his Chapter 13 Plan. The secured amount that GM Financial shall be paid through the Debtor’s plan shall be \$35,286.68. This amount is reached using the agreed value of the vehicle of \$30,976.08 (the net loan balance), amortized at 5.25% over 60 months.**
- 3. That the Chapter 13 Trustee is hereby directed to make an immediate lump sum adequate protection payment to GM Financial in the amount of \$720.00 through January 2018 and thereafter, each month, commencing February 2018, make monthly adequate protection payments to GM Financial in the amount of \$180.00. Adequate protection payments to GM Financial shall be made monthly up to and after confirmation, until all counsel fees have been paid and regular distributions begin to be made to GM Financial. If in any month there are insufficient funds on hand to pay both counsel fees and adequate protection**

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Debtor: Paul S. Bary

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Caption of Order: Order Resolving Motion For Relief From Automatic Stay

payments, then funds on hand shall be used to pay adequate protection payments first, with the remaining balance going to counsel fees. If, after confirmation, counsel fees remain to be paid, then adequate protection payments shall continue to be paid to GM Financial until the remaining counsel fees have been paid. The debtor shall receive a credit for all adequate protection payments made against the total amount to be received by GM Financial through the plan.

- 4. That commencing January 2018, if the Debtor fails to make any payment to the Chapter 13 Trustee within thirty (30) days after a payment falls due, GM Financial shall be entitled to stay relief upon filing a certification with the Court and serving it on the Debtor, his attorney, and the Chapter 13 Trustee.**
- 5. That the Debtor must maintain insurance on the vehicle. The vehicle must have full comprehensive and collision coverage with deductibles not exceeding \$500.00 each. AmeriCredit/GM Financial must be listed as loss payee. If the Debtor fails to maintain valid insurance on the vehicle, GM Financial shall be entitled to stay relief upon filing a certification that insurance has lapsed and serving such certification on the Debtor, his attorney, and the Chapter 13 Trustee.**
- 6. That the Debtor is to pay a counsel fee of \$531.00 to GM Financial through his chapter 13 plan.**

Certificate of Notice Page 4 of 4
United States Bankruptcy Court
District of New Jersey

In re:
Paul S Bary
Debtor

Case No. 17-28523-ABA
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Apr 02, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 04, 2018.

db +Paul S Bary, 1105 Cinnaminson Ave., Cinnaminson, NJ 08077-2102

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Apr 04, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 2, 2018 at the address(es) listed below:

Denise E. Carlon on behalf of Creditor Cascade Funding Mortgage Trust 2017-1
dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Isabel C. Balboa ecfmail@standingtrustee.com, summarymail@standingtrustee.com
John R. Morton, Jr. on behalf of Creditor Americredit Financial Services, Inc., d/b/a GM
Financial ecfmail@mortoncraig.com, mortoncraigecf@gmail.com
Rebecca Ann Solarz on behalf of Creditor Cascade Funding Mortgage Trust 2017-1
rsolarz@kmlawgroup.com
Seymour Wasserstrum on behalf of Debtor Paul S Bary mylawyer7@aol.com, ecf@seymourlaw.net
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov
William M.E. Powers on behalf of Creditor CitiMortgage, Inc. ecf@powerskirn.com
William M.E. Powers, III on behalf of Creditor CitiMortgage, Inc. ecf@powerskirn.com
TOTAL: 8